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April 16, 1998

PPLICATION . PATEN Docket No.:

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants:

APR 2 0 1998

Gerd Sutter, Marion Ohlmann and Volker Erfle

Serial No.: 09/002,443

Filed:

January 2, 1998

For:

RECOMBINANT MVA VIRUS, AND THE USE THEREOF

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as First Class Mail in an envelope addressed to

Assistant Commissioner for Patents, Washington, D.C. 20231

Typed or printed name of person signing certificate

TRANSMITTAL OF SEQUENCE LISTING AND PRELIMINARY AMENDMENT IN COMPLIANCE WITH 37 C.F.R. §§1.821-1.825

Box Missing Part Assistant Commissioner for Patents Washington, D.C. 20231

Sir:

This amendment is submitted in order to comply with Sequence Rules 37 C.F.R. §§1.821-1.825. Transmitted herewith is a copy of the "Sequence Listing" in paper form for the above-identified patent application as required by

37 C.F.R. §1.821 and a copy of the "Sequence Listing" in computer readable form as required by 37 C.F.R. §1.821(e). As required by 37 C.F.R. §1.821(f), Applicants' Attorney hereby states that the content of the "Sequence Listing" in paper form and the computer readable form of the "Sequence Listing" are the same and, as required by 37 C.F.R. §1.821(g), also states that the submission includes no new matter.

Applicants' Attorney submits the following amendments to comply with 37 C.F.R. §1.825:

In the Specification

On page 34, line 13, delete "(SEQ ID NO: 5)" and insert --(SEO ID NO: 8)"--.

Please insert immediately prior to the claims the "Sequence Listing" attached hereto, comprising SEQ ID NOs.: 1-8, as new pages 38-42. Please renumber subsequent pages 38-44 as 43-49.

Respectfully submitted,

Registration No. 40,564

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Lexington, Massachusetts 02173 april 17, 1998